

No. 02-17-00188-CR

IN THE SECOND COURT OF APPEALS
OF THE STATE OF TEXAS

FILED IN
2nd COURT OF APPEALS
FORT WORTH, TEXAS

8/21/2019 4:00:41 PM

DEBRA SPISAK
Clerk

Ex parte Charles Barton

Appeal from Tarrant County

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STATE PROSECUTING ATTORNEY'S

NOTICE OF APPEARANCE

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Stacey M. Soule
State Prosecuting Attorney
Bar I.D. No. 24031632

John R. Messinger
Assistant State Prosecuting Attorney
Bar I.D. No. 24053705

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TO THE HONORABLE SECOND COURT OF APPEALS:

The State Prosecuting Attorney respectfully submits its Notice of Appearance in this cause. “The state prosecuting attorney may . . . represent the state in any stage of a criminal case before a state court of appeals if [s]he considers it necessary for the interest of the state.”¹ Although this authority is not dependent on a request from a district or county attorney,² the District Attorney’s office has requested our assistance.³

PRAYER

WHEREFORE, the State prays that its notice be accepted.

Respectfully submitted,

STACEY M. SOULE
State Prosecuting Attorney
Bar I.D. No. 24031632

/s/ John R. Messinger
JOHN R. MESSINGER
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¹ TEX. GOV’T CODE § 42.001(a).

² *Aguirre v. State*, 22 S.W.3d 463, 465 (Tex. Crim. App. 1999).

³ See TEX. GOV’T CODE § 42.005(a) (“The state prosecuting attorney may assist a district or a county attorney in representing the state before a court of appeals if requested to do so by the district or county attorney.”).

CERTIFICATE OF SERVICE

The State Prosecuting Attorney's Notice of Appearance has been eFiled with the Court on the 21st day of August, 2019, and served on the following:

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/s/ John R. Messinger
JOHN R. MESSINGER
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